

Applicants : Maurice Husson, Christian Jacquemet and Eugene Vorobiev
Appl. No. : 10/520,471
Filed : January 7, 2005

REMARKS

Claims 9-28 are pending in the subject application. By this amendment, applicants have amended Claim 9 to better define applicants' invention. The amendments to Claim 9 do not involve new matter. Accordingly, entry of foregoing claim amendments is respectfully requested.

35 U.S.C. 112 Rejections

Claims 10 and 11 were rejected under 35 U.S.C. 112, first paragraph, for failing to comply with the written description requirement. This rejection is respectfully traversed. It is noted that Claims 10 and 11 are supported by the application as filed in the last paragraph of page 5 (which discloses the second tank R2 may contain the same suspension and pigment as in tank R1 plus the dispersant or alternatively only a dispersant solution), as well as by diagram 1 (see, tank R2). Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

Claim 9 was rejected under 35 U.S.C. 112, second paragraph, for omitting a process step. Claim 9 has been amended to recited a positive processing step at the end of the claim. In view of this amendment, it is believed that this rejection is moot. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

35 U.S.C. 102 and 103 Rejections

Claims 9-11, 19-21 and 23 were rejected under 35 U.S.C. 102(b) as anticipated by Virtanen (WO 97/38940). This rejection is respectfully traversed.

Applicants submit that Virtanen does not anticipate the claimed invention because Virtanen does not teach the claimed process in which two separate stages of filtration are performed, wherein in the first filtration stage, a pre-layer of mineral matter is formed on a filtration membrane stage in the absence of a dispersant agent,

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and in the second filtration state, which is operated continuous to the first, the pre-layer is treated with a second aqueous suspension containing a dispersant agent to obtain a filtrate and a concentrated cake. Rather, Virtanen discloses adding the dispersant in two stages, whereby most of the dispersing agent is added to the filtered cake in the filter and the rest is added while the filtered cake is suspended. This is different than the present invention in which the pre-layer of mineral matter is formed on the filtration membrane in the absence of a dispersant agent. To the extent the Examiner is arguing that the existence of the PCC containing precipitate collected on the filter (e.g., filtration 1 at page 5, lines 22-23) is similar to applicants' first filtration stage, it noted that Virtanen does not disclose a second filtration stage that is operated continuous to the first. Rather, in Virtanen, multiple steps are disclosed on pages 6-7 of Virtanen before the dispersion step on page 8. As such, Virtanen does not disclose first and second filtration steps in continuous operation with each other as claimed. For these reasons, the claimed invention is not anticipated by Virtanen, and reconsideration and withdrawal of this rejection is respectfully requested.

Claims 9-28 also were rejected under 35 U.S.C. 103 as unpatentable over Bleakley, et al. (U.S. Patent No. 5,833,747) in view of Izati, et al. (U.S. Patent No. 3,970,639). This rejection is respectfully traversed.

Again, the claimed invention is directed to a process in which two separate stages of filtration are performed, wherein in the first filtration stage, a pre-layer of mineral matter is formed on a filtration membrane stage in the absence of a dispersant agent, and in the second filtration state, which is operated continuous to the first, the pre-layer is treated with a second aqueous suspension containing a dispersant agent to obtain a filtrate and a concentrated cake. The process disclosed in Bleakley is different. While Bleakley discloses partially dewatering a PCC-containing suspension, Bleakley teaches redispersing the partially dewatered PCC in water containing a dispersing agent

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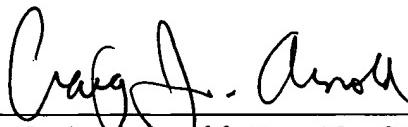
in a high shear mixer to give a fluid suspension. Bleakley does not teach a second filtration stage in which the pre-layer is treated with a second aqueous suspension containing a dispersant agent to obtain a filtrate and a concentrated cake, as claimed. This second filtration stage is also not taught by Izaki, which merely pertains to a paper coating composition including a pigment, pigment binder and synthetic copolymer latex. For these reasons, applicants maintain that the claimed invention is patentable over the cited references. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

In view of the preceding amendments and remarks, applicants respectfully request withdrawal of the various rejections set forth in the Office Action, and passage of the claims to allowance.

Respectfully submitted,

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